UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF TEXAS CORPUS CHRISTI DIVISION

ARMANDO LONGORIA,

Petitioner,

VS.

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CIVIL ACTION NO. C-07-00075

NATHANIEL QUARTERMAN,

Respondent.

Respondent.

ORDER ADOPTING MEMORANDUM AND RECOMMENDATION TO DISMISS BRAD LIVINGSTON AND TO SUBSTITUTE NATHANIEL QUARTERMAN AS THE PARTY RESPONDENT

On March 22, 2007, United States Magistrate Judge Brian L. Owsley signed a Memorandum and Recommendation recommending that respondent's motion to dismiss (D.E. 6) be granted, that Brad Livingston be dismissed as a party respondent, and that Nathaniel Quarterman be substituted as the respondent in this petition. Seeing no objection to this recommendation by either party and having now reviewed the recommendation, this Court hereby adopts as its own the Memorandum and Recommendation as the decision of the Court. Accordingly, it is

ORDERED that respondent's motion to dismiss (D.E. 6) is granted, Brad Livingston is dismissed as a party respondent and Nathaniel Quarterman is substituted as the respondent in this petition.

The clerk shall enter this order and provide a copy to all parties.

SIGNED this 30th day of April, 2007.

Jan's Graham Jack United States District Judge